

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

44th Legislative Day

May 8, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members be at their desks? Will our guests in galleries please rise? Our prayer today will be given by Pastor Rick Wenneborg, Chatham Christian Church, Chatham, Illinois. Pastor Wenneborg.

PASTOR RICK WENNEBORG:

(Prayer by Pastor Rick Wenneborg)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading of -- and approval of the Journals of Tuesday, May 6th, and Wednesday, May 7th, in the year 1997, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator O'Malley, Chair of the Committee on Financial Institutions, reports House Bills 271, 1035, 1168, 1280, 1418, 1577, 2157 and 2210 Do Pass; House Bills 922 and 2211 Do Pass, as Amended; and House Joint Resolution 8 Be Adopted.

Senator Fitzgerald, Chair of the Committee on State Government Operations, reports House Bills 496, 695, 908, 1268, 1269, 1485, 1757, 1806, 1880, 2223 and 2225 Do Pass; and House Bill 1212 Do Pass, as Amended.

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Senator Klemm, Chair of the Committee on Executive, reports House Bills 235, 483, 678, 679, 1506 and 1668 Do Pass; House Bills 18, 155, 229, 475, 513, 606, 821, 903, 1450, 1628, 1678, 2060 and 2209 Do Pass, as Amended; and Senate Resolution 60 Be Adopted.

Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports House Bills 316, 602 and 674 Do Pass; and House Bills 282, 367, 1050 and 1680 Do Pass, as Amended.

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 27, 45, 183, 381, 524, 601, 605, 631, 752, 982, 1118, 1119, 1121, 1255, 1283, 1384, 1802 and 2201 Do Pass; and House Bills 526, 528, 847, 883, 1087 and 1513 Do Pass, as Amended; and Senate Amendment 1 to House Bill 709 Be Adopted.

And Senator Mahar, Chair of the Committee on Environment and Energy, reports House Bills 707, 989, 998, 1144, 1174, 1229, 1239, 1386, 1411, 1457, 1493 and 1817 Do Pass; and House Bills 260, 470, 1147, 1735, 1887, 2164 and 2214 Do Pass, as Amended; Senate Resolution 53 Be Adopted.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 18.

Adopted by the House, May 7th, 1997. It's substantive.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 69, offered by Senator Lauzen and all Members.

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It's a death resolution, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. On the top of page 13 of today's Calendar, in the Order of House Bills 2nd Reading.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will you turn to your Calendars on page 13? House Bills 2nd Reading. House Bill 50. Senator Klemm. Out of the record. House Bill 56. Senator Karpiel. Senator Karpiel? Out of the record. House Bill 66. Senator Karpiel. Out of the record. House Bill 70. Senator Dillard. Out of the record. House Bill 108. Senator Weaver. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 108.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd -- 3rd Reading. I'd like to have leave to come back to 127, if I may. House Bill 131. Senator Rauschenberger. Out of the record. House Bill 157. Senator Hendon. Out of the record. House Bill 165. Senator Karpiel? Out of the record. House Bill 172. Senator Dudycz? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 172.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

And are there any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 182. House Bill 182. Senator

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Hawkinson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 182.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 202. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 202.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 228. Senator Lauzen? Senator Lauzen, House Bill 228? Out of the record. House Bill 231, I'd like to ask leave to come back to it, if I may. House Bill 232. Senator Link. Senator Link, House Bill 232? Read the bill, Mr. Secretary..

SECRETARY HARRY:

House Bill 232.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 248. Senator Syverson. Senator Syverson. Out of the record. House Bill 263. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 263.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 274. Senator Thomas Walsh. Senator Thomas Walsh, House Bill 274. Out of the record. House Bill 306. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 306.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Bomke, for what purpose do you rise?

SENATOR BOMKE:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir.

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SENATOR BOMKE:

Want to recognize, behind the gallery, a school, Tri-City School, that's here visiting us today. I'd ask them to stand and ask that you all help me welcome them.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Welcome to the Tri-City School in the -- in the gallery in front of me. Welcome. Enjoy your stay. Thank you. House Bill 307, I would like to ask leave to come back to that. House Bill 310. Senator Lauzen. 310. Out of the record. House Bill 313. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 313.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 320. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 320.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 353. Senator Rauschenberger. Out of the record. House Bill 362. Senator Mahar. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 362.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 363. Senator Fawell. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 363.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 379. Senator Link. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 379.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one
amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any -- any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Four -- House Bill 408. Senator Mahar. 408,
Senator Mahar? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 408.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 437. Senator Viverito. Senator
Viverito? Out of the record. House Bill 489. Senator Sieben.
Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 489.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 522. Senator Sieben. Out of the record. House Bill 552. Thomas Walsh. 552? Out of the record. House Bill 557. Senator Viverito. Senator Viverito there? Out of the record. House Bill 574. Senator Petka. Senator Petka? Out of the record. House Bill 604. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 604.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 613. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 613.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 652. Senator Rauschenberger. Out of the record. House Bill 709. Senator Weaver? Senator Weaver? House Bill 709. Out of the record. House Bill 710. Senator Larry Walsh. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

House Bill 710.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. I'd like to ask leave to come back to 723 later.
Thank you. House Bill 748. Senator Fawell. Senator Fawell?
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 748.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 759. Senator DeLeo. Senator DeLeo?
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 759.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 760. Senator DeLeo. Senator DeLeo,
House Bill 760. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 760.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 762. Senator Molaro. Senator Molaro
here? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 762.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 768. Senator Dudycz. Senator Dudycz. Out of the record. House Bill 844. Senator Fawell. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 844.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 864. Senator Garcia. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 864.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. I'm going to ask leave to come back to 891 later. House Bill 898. Senator Maitland. 898. Out of the record. House Bill 918. Senator Maitland. Read -- there's a fiscal note on this one. Out of the record. There's a fiscal note on this one. House Bill 927. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 927.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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3rd Reading. House Bill 951. Senator Karpiel? Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 951.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. 955. House Bill 955. Senator DeLeo? Read the
bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 955.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 977. Senator Dudycz. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 977.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 992. Senator Fawell. Read the bill,
Mr. Secretary.

SECRETARY HARRY:

House Bill 992.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 994. Senator O'Daniel? Nine -- out
of the record. House Bill 995. Senator Hawkinson? Out of the
record. House Bill 1007. Senator Luechtefeld. Read the bill, --
Mr. Secretary.

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SECRETARY HARRY:

House Bill 1007.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1029. Senator Link. Senator Link. Out of the record. House Bill 1048. Senator Karpiel. Out of the record. House Bill 1076. Senator Madigan. 1076. Out of the record. House Bill 1080. Senator Obama. Senator Obama. Out of the record. House Bill 1101. Senator Hawkinson. Out of the record. House Bill 1111. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1111.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1126. Senator Karpiel. Senator Karpiel, House Bill 1126. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1126.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1140. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1140.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1141. Senator Bowles. Senator Bowles, House Bill 1141? Out of the -- out of the record. House Bill 1151. Senator Cullerton. Out of the record. House Bill 1169. Senator Mahar. Senator Mahar. House Bill 1171. Senator Rauschenberger. Out of the record. House Bill 1177. Senator Sieben. Read the bill, Mr. Secretary. 1177.

SECRETARY HARRY:

House Bill 1177.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Agriculture and Conservation adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1186. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1186.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1210. Senator Dillard. Out of the record. House Bill 1211. Senator Dillard? Out of the record. House Bill 1216. Senator Burzynski? Read the bill, Mr. Secretary.

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House Bill 1216.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Licensed Activities adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1219. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1219.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1230. Senator Luechtefeld. Out of the record. House Bill 1252. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1252.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1254. Senator Cronin. Senator Cronin? Out of the record. House Bill 1337. Senator Bomke. Senator Bomke? Out of the record. Wait a minute. Read -- read

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the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1337.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1344. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1344.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1345. Senator Madigan. Out of the record. House Bill 1354. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1354.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1373. Senator Sieben. Senator Sieben. Out of the record. House Bill 1388. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1388.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1397. Senator Thomas Walsh. Senate -- out of the record. House Bill 1426. Senator Radogno. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1426.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1486. Senator Trotter. Senator Trotter? Out of the record. Senate {sic} Bill 1535, I'd like leave to take it out and come to it later. Thank you. House Bill 1548. Senator Shadid. Read the bill, Mr. Secretary. Senator Shadid.

SECRETARY HARRY:

House Bill 1548, offered by Senator Shadid.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1550. Senator Jones. Senator Jones there? Out of the record. House Bill 1558. Senator O'Malley. 1558. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1558.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1564. Senator Dillard. 1564. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1564.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1585. Senator Berman. Senator Berman. House Bill 1585. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1585.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1589. Senator Farley. Senator Farley. Out of the record. House Bill 1612. Senator Parker. 1612. Out of the record. House Bill 1613. Senator Myers. Senator Judy Myers? Read the bill, Madam Secretary -- Mr. Secretary.

SECRETARY HARRY:

House Bill 1613.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1619. Senator Obama. Senator Obama? 1619. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1619.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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3rd Reading. Senate Bill -- I mean, House Bill 1651. . Senator Dudycz. Out of the record. House Bill 1664. Senator Sieben. Out of the record. House Bill 1699. Senator Parker. Out of the record. House Bill 1705. Senator Cronin. House Bill 1705, Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1705.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1707. Senator Rauschenberger. Out of the record. Senate -- House Bill 1736. Senator Shaw. Senator Shaw there? Out of the record. House Bill 1779. Senator Cronin. Senator Cronin. Out of the record. Oh, just a minute. He's back here. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1779.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1884. Senator Radogno. Read the bill, Madam -- Mr. Secretary.

SECRETARY HARRY:

House Bill 1884.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2015. Senator Peterson. Senator Peterson? Out of the record. House Bill 2030. Senator Cronin? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2030.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2059. Senator Parker. 2059. Out of the record. House Bill 2061. Senator Parker. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2061.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2122. Senator Karpziel? Senator Karpziel, 2122? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2122.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Twenty -- House Bill 2132. Senator -- Senator Radogno. Read the bill, Mr. Secretary. 2132.

SECRETARY HARRY:

House Bill 2132.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

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No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2150. Senator Berman. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2150.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2152. Senator Cullerton. Senator Cullerton? Out of the record. House Bill 2171. Senator Maitland. Out of the record. House Bill 2178. Senator Donahue? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2178.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2179. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2179.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2215. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2215.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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3rd Reading. House Bill 2232. Senator Dillard. Senator Dillard, House Bill 2232? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2232.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. 23 -- 2236. House Bill 2236. Senator Karpiel. Senator Karpiel. 2236. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2236.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2287. Senator Carroll. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2287.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. Senator Obama, did you wish to be heard?

SENATOR OBAMA:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Obama.

SENATOR OBAMA:

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1080.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Were you off the Floor?

SENATOR OBAMA:

Yes.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Did you wish...

SENATOR OBAMA:

I was off the Floor. Thank you very much.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

With leave of the house, we'll go back to... We're going to pick up a few other bills, which are ahead of you, in numerical order, Mr. -- Senator Obama. House Bill 382. We're going back to 382. Senator Lauzen.

SENATOR LAUZEN:

Thank you -- thank you very much, Madam President. On House Bill 382, as sponsor of this bill, the ban on partial-birth abortion, I feel that the -- that a fiscal note that's been requested is not necessary. The Fiscal Note Act provides that a vote may be taken upon this issue; therefore, I move that this request be determined unnecessary, in order that I may move the bill from 2nd to 3rd Reading.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Chair rules that pursuant to the Fiscal Note Act, this motion is in order. The motion is that the fiscal note request on Senate {sic} Bill 382 is unnecessary so that the sponsor may advance the bill from the Order of 2nd Reading to 3rd Reading. All those in favor, vote Aye. And all those opposed will vote Nay. The voting is open. Have all voted who wished? Take the record, Mr. Secretary. On -- on that question, there are 40 voting Aye, 14 voting Nay and none voting Present. And the motion is adopted. Mr. Secretary, on the Order of 2nd Reading is House

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Bill 382.

SECRETARY HARRY:

House Bill 382.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor -- no committee amendments, Madam President.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 1080. Senator Obama. Read the bill, Mr. Secretary. 1080.

SECRETARY HARRY:

House Bill 1080.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 2015. House Bill 2015. Senator Peterson? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2015.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading. House Bill 157. I believe that was Senator Hendon. Senator Hendon, on House Bill 157. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 157.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDING OFFICER: (SENATOR GEO-KARIS)

3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Leave had been previously granted to the Chair to return to page 13 of the Calendar. House Bill 127. The sponsor wishes the bill to be heard. Please read the bill.

SECRETARY HARRY:

House Bill 127.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Again, leave had been granted to return to the -- page 14, House Bill 231. Senator Geo-Karis, you like the bill read? Yes, ma'am. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 231.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're remaining on page 14. The middle of page 14, House Bill 307. Senator Geo-Karis. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 307.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Bottom of page 15, we have House Bill 723. Senator Geo-Karis. Please read the bill.

SECRETARY HARRY:

House Bill 723.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're on the middle of page 16. We had leave of the Body to return to House Bill 891. Senator Geo-Karis. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 891.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Middle of page 19. With leave of the Body, we had to return to Order of 2nd Reading, House Bill 1535. Senator Geo-Karis. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1535.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We'll return to page 26 -- or, we'll go to page 26, Motions in Writing. Mr. Secretary, would you please read the motion?

SECRETARY HARRY:

I move to refer from the Senate Calendar to the Senate Rules Committee the following: From the Order of 2nd Reading - Senate Bills 664, 686, 912 and 922; from the Order of 3rd Reading - Senate Bills 4, 132, 141, 182, 198, 203, 239, 438, 459, 467, 522, 568, 608, 666, 675, 712, 716, 737, 740, 890, 959, 1005, 1007, 1010, 1011, 1017, 1032, 1043, 1045, 1100, 1108, 1133, 1134, 1135 and 1177; and from the Order of Consideration Postponed - Senate Bills 85, 211, 443, 501, 657 and 1172.

Filed by Senator Weaver, Chairman of the Rules Committee.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. Chairman. In order to kind of clear our Calendars -- these bills will not be moving, and the cost of printing every day is exorbitant. So I just would move that we clear the Calendar, move these bills back to Rules, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

You've heard the motion. Those in favor, vote Aye. And we are going to vote. All those vote -- just -- Senator Demuzio, you just need to have your light on at the time of recognition. Senator Demuzio.

SENATOR DEMUZIO:

They might be a little slower on this side than they are on your side. I don't -- I don't know. Must be your electrician. This is the motion that removes all of the Senate bills from the

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Calendar and -- and re-reverts them back to the Rules Committee. Perhaps the gentleman could indicate to us the reason and the purpose for doing so at this time.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Demuzio, this would save about four pages of printing on the Calendar every day.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, all those in -- favor, vote Aye. I'm sorry. Senator Demuzio, do you wish to be recognized? Senator Demuzio.

SENATOR DEMUZIO:

Was my light on?

PRESIDING OFFICER: (SENATOR WATSON)

No.

SENATOR DEMUZIO:

How many of those bills are Democrat bills and how many of those bills are Republican bills?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

I have no idea, Senator Demuzio.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Seeing none, the question is -- those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Yes, 11 voting No, 6 voting Present, and the motion prevails. Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Thank you, Mr. President. We'd ask for a Democratic Caucus at

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1 o'clock in -- right now, in Senator Jones' Office. We'd ask for one hour.

PRESIDING OFFICER: (SENATOR WATSON)

That order is -- or, that motion certainly or -- is in order, and we will grant that. Senator Karpiel, for what purpose do you rise?

SENATOR KARPIEL:

Thank you, Mr. President. To announce a Republican Caucus in Senator Philip's Office at 1 o'clock. It'll last about an hour. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

We will return, hopefully, around 2 o'clock. It's the intention of the Chair to go to the Order of 3rd Reading when we return, so be prepared. Look at the Calendar, get an idea where your bills are, and we're going to proceed with 3rd Readings. So, that will take place, hopefully, shortly after 2 o'clock.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

Well, it's obvious that the two caucuses have now adjourned, and I would ask the Members to return to the Floor. We are going to begin on page 4, House Bills 3rd Reading. There's some empty chairs. We'll wait a couple of minutes. Senator Madigan, you're right off the block with House Bill 15. Senator Madigan, on 3rd Reading, House Bill 15. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 15.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 15 is an agreed language for changes in the Municipal -- Chicago Municipal and Laborers Pension Fund. It has numerous changes. We've all had them before. The biggest thing is the change allowing the prudent person rule to be applied by the Municipal and Laborers Fund of the City of Chicago. As per the agreement of the Pension Laws Commission, which has approved this legislation, it is required that all interested parties on a local -- on a change in a local pension system sign off on the changes. And the City, the Fund and the labor organization have all signed off on the contents of House Bill 15. I'd be glad to answer any questions on any particular change in these -- in this language, but otherwise would ask for its approval.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Bowles.

SENATOR BOWLES:

No, not -- not of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Okay. The question is, if there's no further discussion, shall House Bill 15 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 50 voting Yes, 2 voting No, no voting Present. House Bill 15, having received the required constitutional majority, is declared passed. House Bill 28. Senator Klemm. Senator Klemm on the Floor? Senator Dick Klemm. Out of the record. House Bill 106. Senator Geo-Karis. Madam Secretary,

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please read the bill.

ACTING SECRETARY HAWKER:

House Bill 106.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this is the bill that bans the practice of female genital mutilation, and it's been maybe a -- a cultural custom in some regions of Africa but -- and it has been continuing in the United States, sometimes without consent of the child, and could cause a child very harmful injury and death -- or death. So I'd ask for the passage of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 28 {sic} (106) pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 voting Yes, no voting No, no voting Present. House Bill 106, having received the required constitutional majority, is declared passed. I'd like to remind the Members, if you're in your offices, that you might want to return to the Floor. We are on the Order of 3rd Reading. We're on page 5, and we'd ask for as many as you who can to return to the Floor. Senator Bowles, for what purpose do you rise?

SENATOR BOWLES:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Ma'am -- ma'am, please state your point.

SENATOR BOWLES:

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Have, in the gallery here behind the Democratic side, Mrs. Diane Hotz and the seventh-grade students from the Gower Middle School in Burr Ridge, Illinois. And I'd like to ask them to stand and be recognized.

PRESIDING OFFICER: (SENATOR WATSON)

Would our guests please stand and be recognized? And we certainly want to welcome you to Springfield. Good to have you here. Senator Myers, on House Bill 138. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 138.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

...Senate. I'd like to present to you this bill, which I think is a very good bill, and I would ask that there be a favorable vote on this. It provides a partial exemption for veterinarians under this Act by establishing that there are occasional overlapping functions between environmental health practitioners and veterinarians. This is a bill that is friendly to smaller communities who need this kind of activity from the veterinarians, upon occasion.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Yes. Senator Dudycz.

SENATOR DUDYCZ:

Yes, thank you, Mr. President. Senator Myers, I'm sorry, I -- I didn't understand your -- your explanation. You mentioned something about smaller communities need friends that -- who are veterinarians?

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Myers.

SENATOR MYERS:

Yes, they do. Quite often, there -- there are functions that these veterinarians perform for the smaller communities that would have been performed by an environmental health practitioner, and many communities need the veterinarians to be able to do this.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Yes, "Doctor" Dudycz.

SENATOR DUDYCH:

Amends the Environmental Health Practitioner Licensing -- Licensing Act relative to veterinarians, and this only affects smaller districts -- or, smaller communities in the State. Right? What's -- what do you have against all larger communities in the State, Senator Myers?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

I really like the larger communities very much too, and I would -- I would not want it to be known that I would not be welcome when I visit some of those larger communities because I do care about them too, but often they do have licensed environmental health persons. If they don't, then I think the veterinarians could probably serve them, too.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCH:

Well, Senator, shouldn't you -- why don't you just take the bill out of the record and amend it to include the larger communities in the State and be fair to everyone. Don't be excluding the -- the communities, those of us who live in large municipalities, like Chicago. And you think that those of you who live in the small villages and -- and hamlets, like Danville and

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-- and -- and Anna, Illinois, and all these little communities, you deserve all this special attention by these veterinarians. We have animals in our -- in our cities too that deserve attention. So why don't you take your bill out -- why don't you take your bill out -- out of the -- out of the record and we can put it on Recall and maybe we can make a bad bill a little better.

PRESIDING OFFICER: (SENATOR WATSON)

Senator...

SENATOR DUDYCZ:

This is your -- this -- this is your first bill, isn't it?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

It is my first bill, and I would never want it to be known on my very first bill that I had anything against people from very large districts. My mother was born and raised in Evanston, so, you know, I have a kind place in my heart for large communities.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Once again, Senator Dudycz.

SENATOR DUDYCZ:

Yeah. Well, I -- I think that if you're not going to amend it, Senator, we're just -- we should all just vote No and just let this first bill go down.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. Chairman -- Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates she'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator Myers, I -- I have two questions. First of all, it

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states here in -- in our analysis that current law exempts engineers, industrial hygienists and other professions which may perform some aspects of services that are covered under this Act. What kind of services are covered under this Act?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Well, the kind of services that are covered under here are like milk and food sanitation, protection and regulation of private water supplies, private wastewater management, domestic solid waste disposal practices, institutional health and safety, and consultation and education in these fields.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Well, just as a follow-up, I notice also, according to our analysis, that this come out of the committee unanimously, and I know this committee pretty well and I know most of the Senators on that. And they're pretty tough. What -- what -- what did you offer them to get this bill out?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Well, I -- I just offered them the facts on this bill, and I was hoping to prevail upon their good graces to treat me so very kindly and to bring this out, and also, for all of them who had pets, I figured that they would want to please their own particular veterinarians.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Well, you know, again, you know, I think it was as Everett

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Dirksen said: I've heard many a speech that have changed my mind but none that have changed my vote. And I'm just curious still. I -- I think there had to be something else here. I think there may be a little collusion, and I would have to join with Senator Dudycz on the other side of the aisle that we give this a big, fat No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

I believe she will. I'm not sure. Yes, she will. Yes, Senator Myers will yield.

SENATOR BURZYNSKI:

Well, I'm looking at -- at my analysis here, and I see something in here about the Sanitarians Act. Are the sanitarians anything like the Unitarians or Presbyterians?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

I don't believe there's too much of a resemblance, although I'm sure that there are some sanitarians who are Unitarians and Presbyterians - maybe Methodists. Catholics?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Very good. But this does talk about the repeal of the Sanitarians Act. Could you tell me when that Act was repealed and what kind...(microphone cutoff)...have existed since that time frame?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

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SENATOR MYERS:

Well, the current Environmental Health Practitioners Act was replaced in 1993 with the Sanitarian Licensing Act. Therein lies the problem because the veterinarians are performing some of these activities and would like to be able to do that legally.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, okay. Can you tell me how the veterinarians in my district feel about this bill? I mean, you've talked about small counties, small districts, small towns. Senator Dudycz talked about large municipalities, City of Chicago. I'd like to know: What about the middle guy? The middle guy always gets left out. I want to know about the middle guy and how this bill affects the middle guy.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Well, the middle guy is -- is just very, very much happy with this bill, as are all of the veterinarians from your area. I've talked to forty of them, I think, or maybe that was none. I'm not sure.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski, do you persist?

SENATOR BURZYNSKI:

I -- I must. I'm still not sure what the bill does. I would really appreciate it if the sponsor would -- would find better legislation to carry in the future. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Molaro.

SENATOR MOLARO:

I -- I don't know -- thank you, Mr. President, Ladies and

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Gentlemen of the Senate. I -- I don't know, from the tone of the conversation, exactly what this means, but I -- I have a couple of serious questions, which I don't understand. We -- we make the Environmental Health Practitioner Licensing Act to make sure for the safety of the public and the safety of the people of the State of Illinois, such as you said before: milk, what you do with carcass or what you could do with the waterways. Now we come up and we're asked to vote to exclude veterinarians because we want to make our veterinarians happy. Well, that's not our job: to make a certain part of our -- our -- a little business part of it, make them happy. We're here to protect the people of the State of Illinois. So if we're going to exempt somebody out of this, there has to be an overriding, big reason to exempt someone. I assume that we were -- we were pretty sharp years ago when we did this, and we put them in it. Now we're asking to take it out, and it can't be a flippant answer, Senator, that we took them out 'cause we were happy. Now, I'd like to know why exactly we're taking the veterinarians out.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

They are performing some of these same duties, and they do have training. When they go to the U of I, for instance, or some of the schools where the veterinarians are getting their license to practice, the very same courses that the sanitarians are taking are also taken by the veterinarians. So, in a serious vein, they do have the training to be able to conduct these tests, and they do get that training in the regular course of their studies. And -- and they are performing where there are not sanitarians, in particularly smaller areas, but in any area they are performing some of these tasks, but they are trained to do so, in their course of study.

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Molaro.

SENATOR MOLARO:

I was called by my veterinarians also to vote for this. They'd like you to amend it to see if we could get slots in their offices. But one last question: Does this have anything to do with ratites? Is this part...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

If it does have anything to do with ratites, I don't know it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I -- I -- I feel sorry for some of the prior speakers that they are not erudite enough to know what this bill is all about, and I would appreciate their collusion in giving this poor, poor, tormented Senator a good vote. And I move for its passage.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Myers, to close.

SENATOR MYERS:

In closing, I would just ask for an affirmative vote on this, and I thank everyone for their -- their kind attention to my first vote -- I mean, my first bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 138 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there -- there are 56 Ayes, no Nays, none voting Present. And House Bill 138, having

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received the required constitutional majority, is declared passed.
House Bill 139, 3rd Reading. Senator Maitland. Madam Secretary,
read the bill.

ACTING SECRETARY HAWKER:

House Bill 139.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate.
House Bill 139 was suggested by the Association of Illinois
Electric Cooperatives, and it is to address a problem that's been
in conflict with the Not For Profit Corporation Act for a number
of years. And what the bill simply does is it allows nominating
committees of corporations - not-for-profit corporations - to deal
with election nominations by -- currently they have to have two
board members on the nominating committee. This would -- would
take those members off of the nominating committee because there's
a thought that, frankly, there's a chance of conflict of interest.
And so this brings the Act into conformity, and I know of no
opposition and would seek the support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House
Bill 139 pass. All those in favor will vote Aye. Opposed will
vote Nay. And the voting is open. Have all voted who wish? Have
all voted who wish? Have all voted who wish? Take the record.
On that question, there are 56 Ayes, no Nays, none voting Present.
And House Bill 139, having received the required constitutional
majority, is declared passed. House Bill 167. Senator Hawkinson.
Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

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House Bill 167.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 167 is identical to Senate Bill 157, which we passed unanimously a little over a month ago. It allows counties to set different deadlines, at their discretion, for the Senior Citizens Assessment Freeze Homestead Exemption. The reason this is necessary is the current exemption deadline in law is different from the other senior exemptions that we have in law, and many of our seniors are finding that they inadvertently missed the deadline in applying for the Assessment Freeze Homestead Exemption. This was suggested by our township assessor in Galesburg. It's supported by the assessors. It would give the assessors the -- the flexibility to make these deadlines consistent. I would urge your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Just real quick. Senator, if you'll yield for a question, please.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

A lot of them are starting to get used to the cycle. Is there any notification procedure in this to -- to indicate that the seniors will know that there is a change?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

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Yes, and there's no change required. It only allows the -- the local assessors to make these deadlines consistent so that when they come into sign up for one, they can sign up for all of them without missing the deadline, as they're doing now.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 167 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 167, having received the required constitutional majority, is declared passed. House Bill 204. Senator Syverson. Senator Syverson. House Bill 214. Senator Sieben. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 214.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This legislation amends the Emergency Medical Service {sic} (Services Systems) Act to modify the qualifications under which the Department of Public Health issues a freestanding emergency center license. It's specifically introduced on the behalf of Trinity Hospital in -- in the Quad Cities so that they can continue to operate their emergency center there as they build a new hospital. I know of no opposition to the bill, and ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House

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Bill 214 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 214, having received the required constitutional majority, is declared passed. House Bill 218. Senator Dillard. With -- Senator Fawell. I beg your pardon. Out of the record. With leave of the Body, we will return to House Bill 221 a little later. House Bill 242. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is just a bill that allows the Metra system to transport bicycles after they have passed an ordinance. It has been at the request of several of the municipalities. Glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 242 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and 1 voting Present. And House Bill 242, having received the required constitutional majority, is declared passed. House Bill 275. Senator Butler. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 275.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Butler.

SENATOR BUTLER:

Thank you very much. Ladies and Gentlemen, House Bill 275 provides an unusual tax abatement for a situation we have in Des Plaines, but at -- at the same time, it broadens the category whereby research institutes can enjoy a certain -- if they are -- well, I have to back up -- if they are a 501(c)(3) organization and if they operate entirely for public benefit and exclusively perform scientific -- scientific research for the general benefit and, also, if they make their research findings public. So, in -- in essence, this was developed specifically for a research institute in my area who have somehow gotten caught in the switch when they moved from Chicago to Des Plaines. So this -- this corrects, I think, a deficiency that occurred, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 275 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 1 Nay and 1 voting Present. And House Bill 275, having received the required constitutional majority, is declared passed. House Bill 277. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 277.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 277 is similar to a bill that we passed out of here about a month or so ago. Provides that the booklet that the Comptroller is required to develop under the Act shall be written in plain English and shall describe all disclosures required under the Act. And I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 277 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 277, having received the required constitutional majority, is declared passed. House Bill 288. Senator Fawell. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 288.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a clean-up bill that has been requested by the park district and the Secretary of State. That's what it does. It replaces...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any...

SENATOR FAWELL:

It replaces certain references to driver license examination station, so on.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 288 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 288, having received the required constitutional majority, is declared passed. House Bill 297. Senator Severns. Senator Severns. Oh, I beg your pardon. Senator O'Malley. House Bill 297. Senator O'Malley. Out of the record. House Bill 322. Senator Fawell. Do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Fawell seeks leave of the Body to return House Bill 322 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 322. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

All it does is add an immediate effective date.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? All those -- if not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further -- Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. House Bill 345. Senator Radogno. Madam Secretary, read the bill.

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ACTING SECRETARY HAWKER:

House Bill 345.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This legislation changes the current Statute in the Pension Code in order to allow Chicago police officers to include their duty availability pay in their pensionable salary. It's been recommended for passage by the Pension Laws Commission. The City of Chicago has agreed. And it's passed unanimously through both the House and the Insurance and Pension Committee in the Senate. So, I would ask for your favorable vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 345 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, 1 voting Present. And House Bill 345, having received the required constitutional majority, is declared passed. On the top of page 6 of your regular Calendar -- Calendar, in the Order of House Bills 3rd Reading, is House Bill 358. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 358.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

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SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. House Bill 358 amends the Residential Real Property Disclosure Act, which requires sellers of residential real property to complete a document disclosing defects and other conditions with respect to the property. This is an initiative of the Illinois State Bar Association. I'd be happy to answer any questions Members may have. It -- it has been well supported. There was a -- an amendment offered during committee that made some changes requested by the Chicago Bar Association.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any...

SENATOR O'MALLEY:

...be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 358 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 358, having received the required constitutional majority, is declared passed. House Bill 366. Senator Madigan. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 366.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. House Bill 366 is the same language we have previously passed under Senate

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Bill 101. It merely brings the five State public pension systems into compliance with changes in the federal law and changes the way that the -- financial status of the pension systems from book value to market value. That's all that it does...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion?

SENATOR MADIGAN:

...and I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

If not, the question is, shall House Bill 366 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 366, having received the required constitutional majority, is declared passed. House Bill 324 {sic} (424). Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 424.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. House Bill 424 creates the Illinois River Watershed Restoration Act. On each of your desks is a map of the Watershed for the Illinois River which shows what a large portion of our entire State is covered potentially by this legislation. Through the leadership of the Lieutenant Governor and in efforts over the years from Members of the General Assembly and others, from the Peoria area in particular, the Lieutenant Governor's Illinois River Strategy Team, in connection with the

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Illinois River Planning Commission, has developed an integrated management plan for the Illinois River Watershed. This is very important legislation for the entire State of Illinois. The Illinois River is truly one of our great treasures in the State of Illinois, and we have great problems with siltation, sedimentation of -- of the lakes along the -- the Illinois River. This management plan is designed to save that great resource for the State of Illinois. This Council would be enacted, the members appointed by the Governor, and under the Lieutenant Governor, whoever she or he may be in the future, will coordinate efforts to save the Illinois River in accordance with this plan to coordinate our federal, State, local and private efforts. I'd be happy to answer any questions; otherwise, I would ask for your favorable vote on House Bill 424.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Senator Hawkinson, I noticed on my analysis that the Illinois Farm Bureau -- or, not the Illinois Farm Bureau, but, rather, the Department of Agriculture does support this particular bill. What kind of impact, if any, does this have on agricultural practices throughout the Watershed area?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Senator. The Farm Bureau was an integral part of developing this management plan. All of the efforts in the management plan are permissive. There are no new governmental

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requirements. But the Farm Bureau and -- will continue to be a -- a strong player in encouraging efforts among farmers and others to continue the kind of great conservation practices that are in place now and to consider others to reduce siltation not only on ag land, but in our -- our urban areas as well. So the Farm Bureau is and will continue to be a player here, and there are no new government mandates in connection with this management plan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 424 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 424, having received the required constitutional majority, is declared passed. House Bill 427. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 427.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This bill amends the Regulatory (Agency) Sunset Act to extend the sunset date of the Clinical Social Work and Social Work Practice Act to January 1st, 2008. The real work on this bill was actually done ten years ago when my cosponsor on this bill, Senator Jones, broke ground by crafting the original Social Work Practice Act. There are no substantive changes to the -- to that Act at this time. There's just some clean-up language and -- meant to make it more clear. So I would ask for your favorable vote. There is no opposition.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Geo-Karis. The question is, shall House Bill 427 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 427, having received the required constitutional majority, is declared passed. House Bill 447. Senator Smith. House Bill 468. Senator Butler. House Bill 472. Senator Walsh. With leave of the Body, we will return later to House Bill 473. House Bill 480. Senator Walsh, Larry Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 480.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Thank you, Mr. President, my fellow colleagues. House Bill 480 simply provides that it requires the signature of ten percent of the registered voters of each township in a county on a petition to abolish township government. We're trying to make sure that our smaller townships have a voice in their existence. I know of no opposition on this. Township Officials of Illinois supports the bill. And it -- it passed overwhelmingly in the House, and I would sincerely appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Would the sponsor yield?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor -- sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

Well, Senator, this bill deals with townships, and also in our -- in our analysis here, it talks about some issues of constitutionality. Can you give me a good legal description in your mind of constitutional issues?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Constitutional issues in which regard, Senator?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

As to it relates to this bill, Senator.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

Well, it has been tried in the past to eliminate township governments in some of our counties in the State of Illinois. And it's my understanding that, a couple of years ago, Senator Klemm passed legislation that required a majority of the votes in at least three-fourths of the township containing at least a majority of the population of that county, but this -- this case was -- I guess was unconstitutional. And what we're trying to do here is to provide the opportunity for the townships to maintain their existence through a constitutional method of just ten percent.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Just one more question: Do you have something against

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Springfield? I see here, according to this analysis, that current law could permit petitions to be only passed in Springfield. What's wrong with that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

So far, I love Springfield.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Burzynski.

SENATOR BURZYNSKI:

Senator, I'm a little bit confused. I -- I have to admit that, first of all, I thought this was Tom Walsh's bill. It's not?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

No, it's not.

SENATOR BURZYNSKI:

Okay...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

...that explains the quality of the bill then. But I did have a question. Now, is -- how do the Township Officials -- the Township Officials support this bill, correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

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That's correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

What other organizations support this legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

I don't know of any organization that does not support it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Does -- does that mean that the counties' organization, Metro Counties Council, Urban County Council, whatever, support this piece of legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

I have no idea on that, Senator. They did not take the time to comment on the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, tying this piece of legislation with -- with a prior piece that we've had today, a prior piece of legislation dealing with veterinarians, do you know how downstate veterinarians would feel about their ability to perform sanitation under this Township Officials piece of legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

I would have to say I have absolutely no idea.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Well, I -- I don't know. Maybe it's just me, but I'm more confused now than I was when I started, and I'd like to know what Dick Klemm had to do with this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just clarification for the sponsor. The -- the law right now reads what, as far as abolishing township government?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

The current law allows a referendum be called with just ten percent of the signatures of registered voters within the whole county. No restrictions on where they come from.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lauzen.

SENATOR LAUZEN:

And -- and what this bill would do is make it -- can you describe -- this would be ten percent in each township? If you can just clarify that for me, I'd appreciate it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

That would be correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Viverito.

SENATOR VIVERITO:

Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Viverito.

SENATOR VIVERITO:

Senator Walsh, I respect what you're trying to do, but how about the -- are you just trying to protect the little townships?

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

No, sir. I'm trying to protect all of township government.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

I thought your bill just addressed the little townships. I was wondering about the mini-townships and the larger townships. I know you're a township supervisor, and I've been rather concerned. I thought you were a pretty nice guy, and I was just wondering, to be sure to take care of some of us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR L. WALSH:

My intentions, Senator, is to take care of all of us township officials.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito.

SENATOR VIVERITO:

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Well, I'm glad to hear that, and I think I'll be able to support you, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Walsh, to close. Oop! Beg your pardon. Senator Dillard.

SENATOR DILLARD:

Yeah. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Dillard.

SENATOR DILLARD:

Senator Walsh, are you Senator Tom Walsh's twin brother?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh's twin brother, Senator Walsh.

SENATOR L. WALSH:

No. That is not correct.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further... Senator Dillard.

SENATOR DILLARD:

Just -- just one more question 'cause I'm confused here. Are you the Most Valuable Player that scooped up those softballs in the Senate/House Softball Game? Or was it the older Walsh that sits over here on our side of the aisle?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Lawrence Walsh.

SENATOR L. WALSH:

I don't know if he's the older Walsh, but he was the one scooping them up.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Viverito, for a second time.

SENATOR VIVERITO:

No, I'm...

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Would either Senator Walsh like to stand up and close? Senator Lawrence Walsh.

SENATOR L. WALSH:

I just think this would be a good bill and ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 480 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 480, having received the required constitutional majority, is declared passed. House Bill 488. Here we go again. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 488.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Well, first of all, I want to congratulate Senator Walsh. I thought he did a terrific job and it's nice to see a Senator Walsh with a good piece of legislation for a change. So that was... This bill, House Bill 488, amends the Metropolitan Water Reclamation District Article of the Pension Code. Extends the deadline for early retirement without discount; changes the eligibility requirements and the method of calculating the required contributions. It's been approved by the Pension Laws Commission, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House

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Bill 488 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 2 Nays, none voting Present. And House Bill 488, having received the required constitutional majority, is declared passed. House Bill 540. Senator Radogno. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 540.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President. This legislation would allow at least three not-for-profit advocacy groups, which would be certified by the Attorney {sic} (Auditor) General, to have access to State facilities for the mentally ill and the developmentally disabled in order to have external oversight, monitoring and unannounced site visits. For the last twenty years, the -- the Mental Health Association has been allowed to make such visits, but these -- has been simply by arrangement with the Department. This legislation would formalize that relationship to ensure that these kinds of not-for-profit groups have access to the facilities, regardless of what their opinions might be. They would report, when they make these visits, to the Department of Mental Health, as well as to the General Assembly. I would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Question for the sponsor.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator del Valle.

SENATOR DEL VALLE:

Why just three, and how will the three be selected?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

SENATOR RADOGNO:

The reason -- the way the legislation reads is that there has to be at least three. So there could potentially be more, but we never want to get to the point where we don't have that type of external oversight. So we could have more. They're jointly selected by the Department and the Auditor General.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 540 pass. All those in favor, vote Aye. Opposed... Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

As -- as the Senator may know, at times the Department of Mental Health and many of our human service departments have been engaged in litigation with various groups. Frequently, it's advocacy groups with strong feelings that engage in litigation with the Department about conditions based on civil rights and other things. Would -- would this bill mean that a litigant, someone who is in litigation with the Department in a class action suit, would have access, under the inspection rights, during a lawsuit?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Radogno.

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SENATOR RADOGNO:

I -- I would suppose there is that potential under -- under this scenario.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. The only cautionary -- and we certainly can pass this bill and maybe deal with it later, but when -- when we do permit statutorily the right to inspect - that means that any group that's qualified on this - it kind of puts the State, as we as representatives of the State, in kind of a difficult position, vis-a-vis advocacy groups that feel that the federal courts are the right way to pursue policy changes. So although I know the Mental Health Association's a good association, I just think we need to be cautious about access rights.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Radogno, to close.

SENATOR RADOGNO:

Thank you. I think that those were good points, that there certainly is a downside when we have people coming in and looking at our facilities, but I think and -- the more eyes that see what's going on in these facilities, that, in the long run, we'll have better care, and that's a risk that we need to assume. And hopefully we'll be doing a good job and will be able to defend ourselves if there are any issues. So I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 540 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, no Nays, and 3 voting Present. And House Bill 540,

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having received the required constitutional majority, is declared passed. Senator Hendon, what purpose do you rise?

SENATOR HENDON:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR HENDON:

In the -- on the Democratic side of the aisle in the balcony, we have students from St. Catherine and St. Lucy School from my area, the Oak Park area, in the Austin area, as -- as well as community activist Mary Reed. Let's give them a hand and welcome them to the Senate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. House Bill 572. Senator O'Malley. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 572.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President and Members of the Senate. House Bill 572 adds language to provide that the Senior Citizens Assessment Freeze Homestead Exemption will be included on the list of exemptions for which a certificate of error may be issued and extend the time period for issuance for these certificates of error from two to three years. These are identical provisions to those contained in Senate Bill 51, earlier this year, which has already passed the Senate. And I'd be happy to answer any questions there may be.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. Just a comment. This is an excellent bill, and I ask the sponsor if I could join him as cosponsor on this legislation, which was my intent. It's a fine piece of legislation. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 572 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 572, having received the required constitutional majority, is declared passed. House Bill 581. Senator Hawkinson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 581.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Bill 581, as it is now amended, is identical to Senate Bill 541, which we passed a month or so ago. This is our legislative effort to try and attract DHL to Illinois. DHL is a cargo air carrier. The requirements of this bill, which provides for a ten-year exemption from aviation fuel sales tax, is that it creates seven hundred and fifty jobs, at least hundred and thirty-five million dollars in investment. It's very important. When we passed it before, Peoria and Scott Air Force Base were in the running. Now the list has been

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narrowed and the Greater Peoria Airport is one of three finalists in the running to have this new facility. These would be high-paying jobs, many pilots. The construction dollars, as well as the ongoing investment in Illinois, would be a major, major new employer for the State of Illinois. We have amended this bill to make it identical so that it cannot be used intrastate, to try and attract businesses from one part of the State to the other. It can only be used to try and attract businesses that are not presently in Illinois. It is very important to the economy, not only of greater Peoria, but also central Illinois and ultimately the economies of all of Illinois. I'd be happy to try and answer questions, otherwise urge a favorable roll call on House Bill 581.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Shadid.

SENATOR SHADID:

Yes. I -- Mr. Chairman, thank you. I just stand in strong support of this bill and urge my colleagues to vote Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just a question for the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Lauzen.

SENATOR LAUZEN:

First of all, I -- I have the deepest respect for the -- the sponsor and cosponsor. I can imagine that every business in Illinois or every community in Illinois would want to have this type of a provision written into the law. Can you describe for the Body as a whole the limiting provisions in this so that other cargo carriers that may be passenger carriers -- so that this doesn't become a precedent that every business or every community that wants to bring a specific business in, rather than making

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sure that the climate in Illinois across the board is a good place to do business for everyone, can you describe how this is limiting?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

Yes. Thank you, Mr. President. Senator, to be eligible, you must be a facility that is operated by an express air carrier used primarily for the sorting, handling, redistribution of mail, freight or other cargo received from agents or employees of the courier for processing at a common location and redistributed in -- by other employees or agents of the courier for delivery directly to an ultimate destination on an item-by-item basis. It must be an investment of at least thirty-five million dollars in real estate improvements, machinery, or equipment. It must cause the creation of at least seven hundred and fifty jobs, either in an enterprise zone or an airport that was an active duty U.S. Air Force base. And that was designed for Scott Air Force Base while it was in the running for DHL. This also has a ten-year limitation. And -- and I'll -- although I understand your concern, Senator, and -- it was -- you also expressed it in committee and when we had Senate Bill 549, these are not tax dollars that are currently available to us in Illinois. And if this facility does not locate in Illinois, you know, there's not going to be any loss. So we're trying to give them a ten-year exemption to level the playing field, because fuel costs are cheaper in Ohio and Kentucky, where we're trying to compete.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Does Senator -- if not, Senator Hawkinson, to close.

SENATOR HAWKINSON:

Just ask for a favorable roll call.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 581 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, and 2 voting present. House Bill 581, having received the required constitutional majority, is declared passed. On the top of page 7 of your regular Calendar is House Bills on the Order of 3rd Reading. House Bill 585. Senator Peterson. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 585.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. Currently, businesses with multistate locations determine corporate income subject to Illinois taxes by using a four-factor apportionment formula, and that consists of property, payroll and sales, which is double-weighted. House Bill 585 eliminates that formula and instead provides that the income shall be apportioned to Illinois by multiplying the income by only the sales factor. This bill was -- previously passed out of the Senate 55 to nothing. I ask for your support of House Bill 585.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I also rise in strong support of House Bill 585. As we consider measures before this Body, one dominant theme occurs, that is: How can we

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make this State more competitive? How can we regain our competitive edge in terms of business and industry and jobs? This is a bill that will help accomplish that. According to a University of Chicago study, this is a pro-jobs bill. The evidence is there based on actual facts stemming from states who have already moved in this direction. Surrounding states around Illinois, many have already moved in this direction; others are considering it. It's a pro-jobs bill. It's a bill that will make this State regain its competitive edge and allow us to move into the next millennium with a greater advantage. I'd urge a favorable support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall House Bill 585 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And House Bill 585, having received the required constitutional majority, is declared passed. House Bill 596. Senator Radogno. House Bill 597. Senator Thomas Walsh. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 597.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. House Bill 597 provides that upon written notice to the Director of Financial Institutions, a licensee may make loans by electronic or other means at off-site lending locations. And this is a -- a bill that has passed the

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Senate before, I believe, with very little opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 597 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, none voting Present. And House Bill 597, having received the required constitutional majority, is declared passed. House Bill 611. Senator Garcia. Senator Garcia. I beg your pardon. Senator Mahar. House Bill 618. Senator Dillard. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 618.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Unified Code of Corrections and increases maximum fines allowable for felony, some misdemeanors, and petty offences, to bring fines up-to-date with respect to inflation. Some of the -- the fines in here have not been increased since 1973, and the latest ones are even back to 1990. And I'd be happy to answer any questions. But this bill comes from the Attorney General's Office and it just increases the maximum fines allowable because of inflation.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 618 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

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On that question, there are 57 Ayes, 1 -- 0 Nays, none voting Present. And House Bill 618, having received the required constitutional majority, is declared passed. Senator Link, what purpose do you rise?

SENATOR LINK:

For a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point. State your point.

SENATOR LINK:

I have Craig Sherman and his son, Lee, from Buffalo Grove, who are visiting Springfield, and I'd like to give them a nice Senate welcome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests in the gallery please rise and...

SENATOR LINK:

And they're on the Republican side.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Please rise and be recognized. Welcome to Springfield. Senator O'Malley, what purpose do you rise?

SENATOR O'MALLEY:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point, sir.

SENATOR O'MALLEY:

I'd like to welcome today, and I hoped you'd all join with in welcoming fine young kids. You see them all in the red T-shirts over here. I think they all have my signature on the back of them by the end of today. But these are the wonderful kids from Palos West School. So give them a warm welcome.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will our guests please rise and be recognized? Welcome to Springfield. House Bill 619. Senator Smith. Madam Secretary,

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read the bill.

ACTING SECRETARY HAWKER:

House Bill 619.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. My bill, House Bill 619, which passed out of the Senate Public Health Committee on the Agreed Bill List by a vote of 10 to nothing, allows the Department of Human Services to incorporate the program of lactation support services as part of the benefits and services furnished to pregnant and breast-feeding participants in the WIC program. The lactation support services program may include payment for breast pumps, breast shields, or any supplies deemed necessary for the successful maintenance of lactation, as well as lactation specialists who are registered nurses, licensed dietitians, or persons who have successfully completed the lactation management training program. The Department of Human Services is required to coordinate the operation of the WIC program with the Medicaid program through an interagency agreement with the Department of Public Aid. And House Bill 619, which is supported by the Illinois Planned Parenthood Council, the LaLeche League, the Illinois Maternal and Child Health Coalition, the Illinois Public Health Association, Illinois NOW, and the Department of Public Health, compliments Senate Bill 404, which I sponsored this Session. Senate Bill 404, which addresses educating the public about the benefits of breast-feeding is currently on 2nd Reading in the House. I urge your favorable consideration to pass this bill, House Bill 619.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Is there any discussion? If not, the question is, shall House Bill 619 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 619, having received the required constitutional majority, is declared passed. House Bill 623. Senator Severns. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 623.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. House Bill 623 passed out of the Revenue Committee on the Agreed Bill List. It stems from the County Assessors' Association and Township Assessors' Association and Taxpayers' Federation of Illinois, who came forward to suggest that a technical change be made to correct a bill that we passed out, now law, in 1996, allowing for a -- for a homestead improvement exemption stemming from catastrophic events. I know of no opposition and would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 623 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. And House Bill 623, having received the required constitutional majority, is declared passed. House Bill 635. Senator Syverson. Senator Syverson. House Bill 653. Senator Bomke. Madam

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Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 653.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Bomke.

SENATOR BOMKE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is identical to Senate Bill 1030, which passed the Senate earlier this Session. Requires the Department of Children and Family Services to notify the public when certain residential settings undergo specific changes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 653 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. And House Bill 653, having received the required constitutional majority, is declared passed. House Bill 661. Senator Syverson. Senator Syverson. House Bill 725. Senator Thomas Walsh. House Bill 729. Senator Butler. Senator Butler. House Bill 741. Senator Watson. Senator Watson. House Bill 754. Senator Cronin. Senator Cronin. On the top of page 8, in the Order of House Bills 3rd Reading, is House Bill 767. Senator Rauschenberger. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

House Bill 767.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill -- or, House Bill 767 is identical to the bill we passed as a Senate bill that I sponsored as part of my expansive legislative career. It deals with clarifying a court decision that siting approval is transferable to subsequent owners or operators of landfill sites. There was a question -- permitting runs with the land, but -- but the permit to operate a site runs with the operator. And this is a clarification. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 767 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 12 Nays, 4 voting Present. House Bill 767, having received the required constitutional majority, is declared passed. Senator O'Daniel, on House Bill 771? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. House Bill 771 gives the Department of Natural Resources the authority to administer the Landowner Grant Program. Under the program, landowners with abandoned oil wells on their property could apply to DNR for grants to cover the costs of plugging orphan wells and

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-- on -- on their property. This bill, 771, along with House Bill 998, looks like it -- maybe working together, we can do something about all the orphan wells over the State that farmers are having problems with the -- with the oil companies, and I think this may solve that problem. I'd appreciate a favorable roll call, or I'll attempt to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 771 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. House Bill 771, having received the required constitutional majority, is declared passed. Senator Butler, for what purpose do you rise?

SENATOR BUTLER:

Thank you. For purposes of an introduction, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have your introduction, sir.

SENATOR BUTLER:

Thank you. Ladies and Gentlemen, I'd like you to help me greet two very special people. To my right is Dr. Dorothy Weber, who is Superintendent of the Arlington Heights School District No. 25. And Dr. Weber is the School Superintendent of the Year for the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please rise and be recognized. Welcome.

SENATOR BUTLER:

And of course, not to -- to slight her -- her husband, Dr. Fred Schroeder. He is Superintendent of Schools of District 64, in my hometown of Park Ridge. So we have husband and wife, both are school superintendents.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome. Senator Philip, on House Bill 800. Out of the record. Senator O'Daniel, on House Bill 818. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 818.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Madam President, Members of the Senate. Senate {sic} Bill 818 is -- is an agreement between the Soil and Water Conservation District and the State Nurserymen's Association on selling trees. They've agreed to allow the Soil and Water Conservation District to sell trees for planting on fragile land or wildlife habitat, but they -- it -- it also eliminates their ability to sell them to -- for landscaping, things of that nature. It's kind of an agreed bill, and I would attempt to answer any questions or I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 818 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 818, having received the required constitutional majority, is declared passed. Senator O'Malley, on House Bill 820. Senator O'Malley? Out of the record. Senator Shadid, on House Bill 824. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 824.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you, Madam President. Current law presently permits counties to establish law libraries and charge fees to defray the expense of the library. What this legislation basically does, it allows all of the counties to be on the same level as Cook, DuPage, Lake, Will, Kane, St. Clair and Winnebago. They presently charge an extra fee. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 824 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 3 Nays, none voting Present. House Bill 824, having received the required constitutional majority, is declared passed. Senator Burzynski, on House Bill 860. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 860.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. This extends the sunset date of the Act to January 1st, 2008. Removes from fee by Statute to fee by administrative rule and makes other changes. This bill has already passed from the Senate with two slight modifications. I'd be more than happy to answer any questions.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 860 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 860, having received the required constitutional majority, is declared passed. Senator 889 -- or, Senator Geo-Karis, on House Bill 889. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 889.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Madam President. Madam President and Ladies and Gentlemen of the Senate, this bill would allow certified shorthand reporters to expand their area of practice in Illinois by permitting them -- by permitting them to administer oaths and affirmations and take affidavits and depositions. I move for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Welch.

SENATOR WELCH:

Senator, if a court reporter's a full-time court reporter,

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they are allowed under this bill to have their own court shorthand reporting practice, where they can take depositions in addition to their work as a county employee. Is that what this does?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think it's all -- it depends upon the county. If the county wants them to do that, they will let them do it. If they don't, it's up to the county.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Further discussion? Seeing none, the question is, shall House Bill 889 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 -- 57 Ayes, no Nays, none voting Present. House Bill 889, having received the required constitutional majority, is declared passed. Senator Geo-Karis, on House Bill 895. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 895.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, this bill establishes that the Certified Shorthand Reporters Act which establishes that every person licensed under the Act shall be designated as a certified shorthand reporter and not otherwise. It also states that no person other than the holder of a valid existing certificate under the Certified Shorthand Reporters Act shall use the title or designation of "Certified Shorthand

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Reporter" in connection with his profession or business. This legislation amends the Certified Shorthand Reporters Act by specifically prohibiting anyone who is not licensed under the Act from using the title "Court Reporter". And I move for its passage.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Will sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, what are we trying to correct with this? Do we have court reporters out there now who are not certified, who will no longer be able to be court reporters under your bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The certified -- my understanding is, the certified shorthand reporters are -- are responsible to the Department of Professional Regulations. And all we're trying to do is be sure that they are, that they follow -- that they follow the standards and they are qualified.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I don't have any problem with that, but my question was: Do we have people who are currently court reporters, perhaps who have been doing it for thirty years, who -- who are going to find themselves unqualified with this bill?

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Geo-Karis.

SENATOR GEO-KARIS:

All this does is -- is a title protection of -- of genuine court reporters, and instead of some people who claim they're court reporters when they're really not court reporters, but puts -- put themselves out as that. It's a title protection of the certified court reporters.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

I understand that, Senator, but is it a Yes or a No? Are there reporters who are in the courtroom today who will not be able to be in the courtroom after this bill becomes law, that you know of?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis...

SENATOR GEO-KARIS:

To the best of my knowledge...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Brad -- Senator Burzynski says he can answer this question. Would you yield?

SENATOR GEO-KARIS:

I'll be happy to yield.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I think this is a situation where what we have is electronic recording court reporters, if you will, or they're recording electronically rather than the traditional court reporters, and it's a differentiation just simply between what their title is. The Court Reporters Act does not include electronic recording at this time.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Does this mean the answer is No, or are there people who are doing this electronically now who will no longer be able to do it? And how -- if that's so, how do the -- the courts feel about that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

Those individuals will still be able to -- to do that; however, they will not be able to use the title of "court reporter".

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Well -- thank you, Madam President. Well, I -- I guess Senator Burzynski just answered it. It doesn't stop them from using it. All it does is -- and their time has come. The court could allow them. You could still use them in depositions. They're just saying, when you turn to the page and you're looking for this type of a thing, they have to say they're electronic. The only people that could advertise that they're court reporters are licensed court reporters. So this -- they can still use it. So thank you. That was the only comment. It's a good bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

I ask for a favorable vote. It's a good bill, and I think it's a needed bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 895 pass. Those in favor

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will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. House Bill 895, having received the required constitutional majority, is declared passed. Senator Peterson, on House Bill 904. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 904.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President, Members of the Senate. House Bill 904 amends the State Finance Act to permit the State Comptroller to make rules authorizing the use by State agencies of purchasing cards for purchases otherwise made with petty cash. This would certainly allow for more accountability, convenience in financial reporting. The Comptroller further explains that the purchasing card reduces risk and increases efficiency in the management of over one thousand petty cash accounts throughout the State. I ask for your support, House Bill 904.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 904 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. House Bill 904, having received the required constitutional majority, is declared passed. Senator Fitzgerald, on House Bill 909. Out of the record. Senator Weaver, on House Bill 923. Read the bill, Madam Secretary.

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ACTING SECRETARY HAWKER:

House Bill 923.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. House Bill 923 amends numerous university Acts by providing that the State's public universities have one voting student member on each respective university board of trustees. Also allows the Governor to appoint the voting student member for universities with more than one nonvoting student member. Certainly, it sets up requirements for the voting and nonvoting members of these boards. If there's any question, I'd be happy to answer it. If not, I'd -- I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. I -- I really don't have any questions of the sponsor, because I do understand what the bill does. I do have a couple of comments relative to the bill and just concerns that I have representing a university. And first of all, I'd just like to point out that most of our university governing boards have seven members on them currently - voting members. With the approval of this bill, we will now have eight voting members on the boards, which could make a situation where we'd have a tie vote. Secondly, I think students could have extraordinary influence on some committee votes. Most university governing boards conduct most of their business at the -- at the committee level, and the committees often consist of only three or four individuals. So, certainly, that gives a weighted vote, I

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think. Also, I just am really concerned that we've got a situation where we have students now with a vote on the board of trustees. How much longer will it be until faculty, professional staff, et cetera, want to vote on the -- on the board? It's a real concern for me, too, because not all of our student trustees are elected the same way. Some are elected at large. As Senator Weaver indicated, this bill would allow the Governor to appoint the student trustee for U of I because they have three members, and that -- I think that's fair. I think that's the way it should be. And the other thing is, some of them are only appointed by the student senate. So you've got a situation where our student trustees serve from different arenas, different areas. If they're elected, they come from different areas. So it does provide some concern, I think, relative to that. I think the -- finally, just, the Governor appoints the other seven members of the -- of the current boards, and we have the opportunity to confirm them. We have a checks and a -- a check-and-balance system on those seven members of the board. No check-and-balance system would exist, at least for us, from the standpoint with the student trustee. And I think that really does set a precedent. So I would really appreciate your careful consideration of this bill before you vote on it. With all due respect to Senator Weaver, I do have some concerns and I think that we all should have some concerns, from that perspective. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President. Just to the bill, and real quick, I think this is a good bill, Senator Weaver. It's a bill that both Senator Welch and I have put in at different times, I think as long as ten years ago. I think it's a time that has finally come, and ask for your support.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Madam President. I, too, rise in support of the bill. And to the objections raised by the speaker on the other side to the aisle, I think the bill is drafted in a way that it would -- would provide some -- some protections and some balance, because the -- the students on the board are elected from the student bodies, one representing each campus, and of those students will be -- the Governor will select one from those -- from -- from the students that have already been elected. In addition to that, it would rotate the voting member from campus to campus. So I think there's plenty enough leverage in here to ensure that -- that the Governor will not have that much influence in terms of the overall selection and that the student voting will be representing the interests of the students and no one else, and that's what they should be there for. So I support the bill also.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Weaver, to close.

SENATOR WEAVER:

Thank you, Madam President. As you know, the Governor now appoints all trustees in the future. These will be the only elected trustees. They're elected from their own campuses. And I think, through the years, the student trustees have shown remarkable ability to react to issues before the board of trustees on every campus. They're there every day. And I think that we'll be proud of these trustees as the years go by, and I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 923 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. House Bill 923, having received the required constitutional majority, is declared passed. Senator Parker, on House Bill 968. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 968.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This House bill was amended in the House to conform with Senate Bill 30, which did pass the Senate several weeks ago. It contains several changes. Actually, the bill is better. We have worked with Secretary of State George Ryan, who actively supports this bill, and made a couple of changes. One gives us language to bolster the Secretary's enforcement powers for over the five percent of citizens that refuse to obey the law and buy their vehicle stickers. It also answers Senator Molaro's concern, and other Senators', and changes the fine to one hundred for the minimum to five hundred dollars for the maximum. Before, it was three hundred dollars for the minimum and five hundred dollars for the maximum. I would answer any questions and request a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

Thank you. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch. She'll yield.

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SENATOR WELCH:

Thank you. Senator Parker, how much will the replating cost before any claims of offsetting revenue?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The suggested cost for replating can estimate around thirty-five million dollars. The last time that we replated they had recovered their cost within three years, between 1984 and 1986. We estimate that if we do replate right away, we could even recover these costs in twenty months. It depends on how quickly the Secretary does replate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

The bill takes seventy-five cents from every registration and deposits it into a -- a special fund for the replating, as I understand it. But why does the bill also exempt replating costs from the Road Fund appropriation cap? Currently, there's a limit as to the Road Fund usage by another agency, specifically the Secretary of State. Will the cost be higher than seventy-five cents per -- per registration, or why was the reason to exempt -- to lift the lid on the transfers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

This bill does two things: It sets up a continual basis, where we can eventually replate every five, six or seven years, at the Secretary's discretion, and that's why seventy-five cents is taken out of the forty-eight-dollar fee. Now we have been almost thirteen years. It will be fifteen years since we've replated. This will set up a continuing basis so we are never this late

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again in replating. It also removes the cap -- or, lifts the cap so that there is the opportunity in the appropriations process, if the appropriation process so chooses, to fund the initial plating so there can be an initial replating instead of waiting for five, six or seven years.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Senator Parker, there was a House bill that would increase the fee for registration from forty-eight dollars to fifty dollars. Was there any discussion with the Secretary of State about doing that, or even just increasing it one dollar, because you're getting seventy-five cents? Was there any discussion on that at all?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Senator, that is separate from this bill. There certainly are discussions about increasing the gas tax. There certainly are discussions about increasing the vehicle tax. This gives the Secretary of State now the opportunity to at least be able to replate, in the beginning on an initial replating if he so chooses, if the appropriation process chooses, or else on a continuing basis. We have not replated in fifteen years and now it is a safety issue. So at least this gives him the process and the option, because now there's nothing.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Madam President. Just a comment, rather than a question. I understand that the replating is going to cost thirty-five million dollars. According to the Department of

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Transportation that is opposed, if Governor Edgar did not consider this measure important enough in writing the proposed budget this year, why should we then place it in? And finally, with the condition our roads are in, I would say that a higher use for this thirty-five million dollars would be into asphalt to make -- to make the roads safer. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I stand in strong support of this legislation. And in response to the previous Senator's remarks about the Road Fund, with the amount of money we have in there and the way we fund our projects, there is always a ton of money, millions of dollars that are in flux. This is not going to stop any road projects -- projects anywhere along the line. I think the real issue here is that we owe it to the people of the State of Illinois because we have perpetuated a fraud upon them. Many years ago, and I think it was fifteen years ago, whenever they -- they did the -- the replating, they promised they would do it -- so many -- every so many years. I think it was five or seven years. We have never done it. I just rest my case with this particular license plate right here that was just taken off a car last week. And I defy you to tell me what that license plate says. The police officers, the police chiefs around the State are for this bill. They want this bill. And I think it's important. And as far as the Motor Fuel Tax Fund is concerned, I think the Department's been selling a hell of a bill of goods. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. I, too, served on the license task

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force, and we had testimony from the State Police, the head of the Chiefs of Police. It is very dangerous for them out there right now because they cannot read the license plates as they presently are. The reflective material that has been placed on these license plates is way overdue, as far as being replaced. Those plates were only guaranteed as -- for a total of five years. This is not going to hurt the -- the IDOT's big plans. I think this is an excellent way of funding this. This is at the discretion of the Secretary of State, plus the appropriation process. It's a good bill and long overdue.

PRESIDING OFFICER: (SENATOR DONAHUE)

Can we please keep our conversations down? Thank you. Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I -- I rise also to support Senator Parker and -- and others who have spoken out in favor of this bill. I would like to raise one point that has not been included, and clearly it's a hometown issue but it's one that I think affects countless individuals. The physically challenged young adults at Macon Resources in Decatur are the individuals who have replated years ago and will replate again. It's -- it's a job that, fortunately, the Secretary of State's Office has provided countless physically challenged individuals to be able to learn skills, meet goals, and -- and to do something good for the State as well. The law enforcement authorities have clearly made the case that this is needed. The Secretary of State has clearly made the case that the time is overdue. IDOT will always say they can't afford it, and that's one of the reasons they've come forward to say they need something to increase revenue in a dramatic way. The long-term result of this bill is that it will replenish the Road Fund; it will provide the replated license plates that we need; and it will give

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countless physically challenged young adults the opportunity to have a job that they otherwise would not have. I hope as many green lights as possible go on the board on this vote. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

Thank you, Madam Chairman. I rise in support of this bill for a couple reasons. I think it's a disgrace that we haven't replated them for fourteen years. The police officers in our State need these vehicles -- these licenses replated so they can understand what they are and what they look like. Also, it seems to me that if we would just enforce the people who are not registering every year their license plates, then we wouldn't have to worry about taking money out of our Road Fund. It's my understanding we're losing fifteen to thirty million dollars a year annually because we're not enforcing the people to make them reregister their license plates. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Thank you. I rise in favor of this particular bill, but I wish the Senator would give some consideration to the fact of all of these different plates that I see on the road. Some of the numbers are so small and so difficult to read. I would hope that you would encourage the Secretary of State, if this becomes a reality, to make certain that the police would be able to identify more easily some of the plates that will be done. And I hope you would consider that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President. It's I, as in Idaho, K, as in

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Karen, 789. That's for those of you -- I -- we were defied to see if we could see the plate, and I just wanted to point that out.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes. Senator Parker, it is a -- one school of thought that this will raise revenue. Fifteen years ago was there a stampede for individuals to go out and get new license plates when the opportunity came about?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Between 1984 and 1986, the time it took to replating, the cost of thirty-six million dollars at that time of replating was recovered. And what you can see nationwide is that at least five percent do not comply. The State Police's report was 3.8 percent that don't comply and seven percent was reported in the task force. So we are presently losing between fifteen and thirty million dollars a year from the Road Fund because we do not have new license plates.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you. It was also said that this will also motivate registration of scofflaws to come forward and purchase plates because of -- they can blend in more with -- with new plates, to get rid of their old plates, and wouldn't be so -- stand out as

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much to the State police. Do you still think that's the -- that theory holds true at this point?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Absolutely, it does, because it's very difficult to see that little tag, and as people get away with not purchasing one, then they get away with it the -- the following years. However, if you have bright new shiny plates, that can -- then you can see the people who do not comply a lot easier. This has been proven and this is done in other states.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

But what would motivate those scofflaws to go out and get other plates? I mean, they would want to remain sort of oblivious to -- to the police, so why would they go out and get new plates?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR TROTTER:

I mean, I'm talking about a phase-in here.

SENATOR PARKER:

It will be much harder for them to hide behind an old plate when we have new plates, so they will have to comply. Police will be able to see that they do not have new plates and they will be able to enforce this a lot better. It has been since 1979. We have only replated once since 1979, and that was eighteen years ago. So certainly this is something that will help enforcement, and that's been shown.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter. Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

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Thank you, Madam President. I rise in opposition to this bill, you know. And I realize we need to -- to be replating, but I don't think we can take thirty-six million dollars out of the Road Fund that we just put back in. It had been borrowed for some twenty years. And I have problems buying the story that there's going to be more arrests and all when you got a little one-inch-by-four-inch sticker that you put on those license plates. You know, if -- if they want to -- if they want to increase maybe the registration fee, license fee somewhat, don't have any problem with that. But with the financial condition of the Road Fund and the physical condition of the -- of the highways, I think this would be a mistake for us to -- to take these funds out of -- out of the Road Fund. And I rise in opposition to this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Parker, to close.

SENATOR PARKER:

Thank you very much. In response to Senator Lauzen, if this wasn't put in the initial budget, it should have been put in the initial budget. As far as a new -- this will be a new design. It will be very easy to detect if people are not complying. This is actively supported by the Secretary of State. And remember that seventy percent of all major crimes involve the use of a vehicle. It's imperative that police be able to see these numbers clearly. This will stop the drain on the Road Fund that we are presently losing now into the Road Fund of between fifteen and thirty million dollars a year. Remember the taxpayer when you think of this bill. Forty-eight dollars a year is what they pay in each year now, and that is over four hundred and thirty million dollars a year. Over the last thirteen years the taxpayers have paid in over five and a half billion dollars. For a

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five-and-a-half-billion-dollar contribution, they deserve one new license plates set. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 968 pass. Those in favor will vote Aye. Opposed, Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 17 Nays, 2 voting Present. House Bill 968, having received the required constitutional majority, is declared passed. Senator Dudycz, on House Bill 978. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 978.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Madam President. House Bill 978 amends the Humane Care for Animals Act to add police animals to provisions concerning the prohibition against teasing, striking, or tampering with police dogs and injuring or killing police dogs. Under this legislation, a police animal is any animal owned or used by a law enforcement department or agency in the course of the department's or agency's work. It has been requested by various law enforcement agencies throughout the State to change the language from just at -- police "dog" to police "animals", to include horses. Specifically instances: In Kane County, they had a horse stabbed; in -- in Sangamon County, sheriff's officers had horses punched or burned with cigarettes. And we're just adding horses -- or, "animals" for law enforcement, rather than just dogs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the

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question is, shall House Bill 978 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 978, having received the required constitutional majority, is declared passed. Earlier, Senator Dudycz had requested leave to go back to pick up his two bills that he passed while he was in the Chair. We will go back to House Bill 221, on page 5. House Bill 221, on page 5. Madam Secretary, read the bill, please.

ACTING SECRETARY HAWKER:

House Bill 221.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Madam President. House Bill 221 amends the Vehicle Code, authorizing the Secretary of State to issue special license plates to the surviving spouse of a police officer or a firefighter who has died in the line of duty. And I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 221 pass. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. House Bill 221, having received the required constitutional majority, is declared passed. On the middle of page 6 is House Bill 473. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

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House Bill 473.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. House Bill 473 amends the Code of Civil Procedure by authorizing the Villages of Morton Grove, Rosemont and Oak Park to exercise 'quick-take powers for various durations after the effective date to acquire property. And I'll be more than happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Are there -- thank you, Madam President. Are -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Burzynski.

SENATOR BURZYNSKI:

Are there specific purposes indicated in the bill, Senator?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Yes -- yes, Senator Burzynski. The quick-take authorization for Morton Grove was requested by Representative Capparelli. It is for the redevelopment of a site that currently houses a 1950's road -- vintage roadside motel. The Village contends that they were unable to negotiate acquisition of the property, and there is no end in sight to this litigation. The Village further contends that approaching deadlines contained in the agreement with the private developer could jeopardize the entire project. The second provision, for Rosemont, was requested by Representative Saviano.

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It's directed at the Mannheim/Higgins tax increment redevelopment project and the River Road tax increment redevelopment project. And the provision of Oak Park was requested by Representative Lou Jones and Senator Collins. It is for the Greater Downtown Area project, at the Harlem/Garfield project, Madison Street project, North Avenue Commercial Strip project, and the Harrison Street Business Area project. And finally, it -- it -- and the final provision is for authorizing the City of Champaign to acquire land easements in and adjacent to the City for improvement of Windsor Road and Duncan Road and for construction of the Boneyard Creek Improvement Project for twenty-four months after the effective date.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Madam President. Question for speaker, if yield.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator, in regards to the Village of Rosemont, could you clear that up, as far as the hotel? Is there anything specific that is indicated there?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCYZ:

The Village has received a proposal to build a new hotel, which is necessary to create new tax increment to pay redevelopment project costs. They claim that without quick-take power, the hotel development will not occur for three or four years. That -- I guess it's -- the way it was explained to me is the property is a parking lot, next to other buildings, and it is currently being used as a parking lot, where an overflow of

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vehicles are being parked.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Larry Walsh. All you have to do is put your light back on, Senator.

SENATOR L. WALSH:

Okay.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR L. WALSH:

Thank you. Is there -- so the specifics is that they are just going to build -- build a hotel.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

That is what I've been told, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Without this bill, each of these municipalities still has the right of condemnation power. Am I correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

That is correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Well, I -- I just wonder why we are doing this, because it

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sounds like all of these communities have been involved for a number of years in discussions. They should have filed their condemnation suit and we wouldn't have had to give them this quick-take power, which puts the other side in the negotiations, usually, at a very grave disadvantage. So I -- I just raise that question because I'm -- I'm -- I haven't seen anything here that gives it a -- such an unusual situation that quick-take ought to be granted in the middle of their negotiations. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Madam President, Members of the Senate. Let me -- let me try and clarify some of the needs for doing this. And it's unfortunate - you are right. But I don't see the need for the TIF districts working under time restraints to have to go into court for condemnation in those cases, but that's not the real problem. The real problem is: Once some of the -- the landowners find out that a district is going to go under major redevelopment, they hold out on the sale of land and try and -- and raise the price, to -- to -- to get as much money out of the property as they can, which often is much over the -- the value of the property. That kind of price gouging often leads to holding up a major development in a TIF district. So the reason these municipalities had to come to the Legislature is, a), because they were operating under time restraint for those TIF districts, and secondly, because they could not afford the kind of money that many of those landowners was -- were asking for their property. And -- and I think this is something that we've got to do. If we're going to stimulate employment and -- and economic development at the community level, then it becomes necessary for us to take these kind of action, especially when you cannot reach a meaningful and a peaceful negotiation at the local level. So I would also ask

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for the passage of House Bill 473.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President and Members of the Senate. I know that it's late in the afternoon and many people here probably have tuned out this debate, but a fundamental question arises. It is something that I believe is -- is going to be addressed sooner than later. I don't know if it's going to be in this piece of legislation, but I certainly believe that the time will come that we are going to revisit this whole area of government using condemnation power to dispossess people of their property and then turn around and sell it, oftentimes at profit. The real question is: If land has a certain amount of value, who should be the person -- or who -- what should be the entity that profits when -- when land is dispossessed from a person? There are those who say, "Well, it should be government, that government knows best." I suggest that our founding fathers had a little different viewpoint. They said, and it's right in our Constitution, that every person should be paid just compensation and they should not be deprived without due process of law. There are times when condemnation using quick-take is -- is actually the right thing to do - very, very limited and controlled circumstances. But there are times when it simply is not only not the right thing to do, it is absolutely wrong. It would be my hope that a number of Senators would join me down the road so that we might come up with a public policy statement that government - any government - should never have the power to dispossess people of their property and then a short time later turn around and sell it at a -- at a profit. I'd -- I believe that that concept is -- is something that most people, when it is explained to them, will oppose. I am not commenting upon the merits of this legislation.

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It just appeared to be an appropriate time to comment upon a concept. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Madam President. I don't think that quick-take is overused here in the State of Illinois. And, certainly, there's great scrutiny put on every request. But maybe we could solve this problem statewide by the municipal or whatever authority is trying to acquire this property to take the local assessor with them in these negotiations and reassess that property at what they're asking. That may solve the problem.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Dudycz, to close.

SENATOR DUDYCZ:

Well, thank you, Madam President. I can't close any better than Senator Collins' comments, other than mentioning -- responding to Senator Petka's on his hypothetical question. We're not dealing in fair market value in -- in this legislation. I've been assured, and we in committee were assured by all the -- the witnesses representing the various municipalities, that their -- their -- it is their intent to use this property for public purposes. I just would ask for your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- or, the question is, shall House Bill 473 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 25 Yeas, 24 Nays, 6 voting Present. House Bill 473, having not received the required constitutional majority, is declared failed. Committee Reports.

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ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Education Committee - Senate Amendment No. 1 to House Bill 2132; refer to Executive Committee - House Joint Resolution -- pardon me, 18; refer to Judiciary Committee - Senate Amendment No. 1 to House Bill 2152; refer to Public Health and Welfare Committee - Senate Amendment No. 2 to House Bill 2059; refer to Transportation Committee - Senate Amendment No. 1 to House Bill 1115; and Be Approved for Consideration - Senate Amendment No. 2 to House Bill 709, Senate Amendment No. 2 to House Bill 1279, and Senate Amendment No. 1 to House Bill 2171.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, for what purpose do you rise?

SENATOR DILLARD:

For purposes of an announcement, Madam President. In the Special Elections Contest Committee and the challenges to Senator Radogno and Senator Luechtefeld, as the Chairman of our Special Election Contest Committee, just want to announce to the Membership that it is my intent to, hopefully tomorrow, file a report from the committee hearing that we had a couple of days ago, and will file our committee reports in the two election contests that are before us. And it's also my intent to reconvene the committee hearing at 2 p.m. on Monday, May 12th. When we come back, in Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan, for what purpose do you seek recognition?

SENATOR MADIGAN:

Thank you, Madam President. Purpose of an announcement: that immediately upon adjournment, I would ask the Members of the Insurance and Pensions Committee to gather in Room 212 to take up the recessed Insurance meeting from last Tuesday. We got probably

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about a half an hour's work there. And if we can all get there, we can all get out of there real quick. Thank you. Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

Room 212, Senate Committee on Insurance and Pensions. Since we are -- no -- finished with our business for the day - we have some paperwork to do - so let me make an announcement to all of our Members. We will be adjourning tonight till tomorrow at 9:30 a.m. We will be doing 3rd Readings, so we -- we -- and we are going to begin right at 9:30, so please be present. Committee -- Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 70, offered by Senator Jones and all Members.

It is a death resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar.

ACTING SECRETARY HAWKER:

Senate Resolution 71, offered by Senator Rea.

Senate Resolution 72, offered by Senator Rauschenberger.

And Senate Resolution 73, offered by Senator Carroll.

They are all substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, for what purpose do you seek recognition?

SENATOR WATSON:

Yes. Thank you, Madam President. In absence of the Chairman of the Education Committee and the Vice Chairman, as a committee Member, I would like to announce that we are going to reconvene at 8 o'clock, tomorrow morning, in Room 212. That's the Education Committee reconvening. We have five or six bills left to do. 8 o'clock, in Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

Education Committee, 8 o'clock, 212. If there is no further

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business to come before the Senate, the Senate -- Senator Geo-Karis moves that we stand adjourned until 9:30 a.m., on Friday, May 9th. Senate stands adjourned.

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